

*Guidell* 14 MAR 1977

Approved For Release 2005/06/23 : CIA-RDP79M00983A001500080010-4

TO : Mr. Miller *β*

*77-0508/A*

DATE OF REQUEST

FROM : RLB

SUSPENSE DATE

SUBJECT:

Admiral Turner's request re Agency's view on adopted rules of procedure by which SSCI intends to control and protect classified information.

NOTES

Attached is the final version of this paper, with changes made per your request.

*RLB  
your file copy sent out to DCI*

COORDINATED WITH (list names as well as offices)

NAME	OFFICE	DATE
NAME	OFFICE	DATE
NAME	OFFICE	DATE
NAME	OFFICE	DATE

ACTION REQUIRED BY GLC

Approve for transmittal to Admiral Turner

## SELECT COMMITTEE RULES OF PROCEDURE

1. In our view, the Rules of Procedure adopted by the Senate Select Committee on Intelligence, with certain exceptions, provide the basis for a workable and secure oversight relationship. The rules are comprehensive, specific and recognize clearly that a high regard for security is a vital element in maintaining a credible operation. Although we were not successful in obtaining the Committee's approval to have each staff member submit to a polygraph test as a precondition to obtaining access to classified information, we will consider it extremely beneficial if any House or Joint Intelligence Committee that is established adopts similar rules. One serious drawback, not directly with the Rules but rather with the provisions of S. Res. 400 which must be read in conjunction with the Rules, is the procedure whereby the Committee may release classified information on approval by the Senate after a Presidential objection (see discussion below).

2. The Rules provide for controlled access to all Committee material; strict security procedures for employment; and written agreements on unauthorized disclosure. These Rules in effect supersede the Rules of the Senate insofar as they are more specific or in conflict therewith. All Committee staff members and contractors have signed security agreements (a copy is attached) for obtaining access to classified information.

3. The following are relevant provisions of the Select Committee's Rules of Procedure:

a. Per Senate Rules, the Committee may on its own, by majority vote, order a session closed to the public.

b. Access to Committee and staff offices is limited and controlled.

c. Classified and sensitive materials are segregated and secured, and copying of written material is controlled.

d. Classified material made available to non-Committee members is to be controlled.

e. Committee staff members are allowed access to classified information only if they have appropriate security clearances and only on a need-to-know basis.

f. Testimony received in executive session is not to be disclosed to any person not a member of the Committee except in accordance with the terms of S. Res. 400 (see below).

g. Committee staff shall not discuss substantive or procedural matters related to Committee business with persons not on the Committee or the staff except pursuant to Committee rules and S. Res. 400.

h. As a condition of employment, every Committee staff member--either during or after his Committee employment in any manner including by testimony--shall agree in writing not to divulge any classified information in his possession as a result of his relationship with the Committee except in accordance with the Committee rules and S. Res. 400.

4. Certain provisions of S. Res. 400, the Select Committee's enabling resolution, are relevant also to the Committee's security procedures and treatment of classified information. These include:

a. A provision that the DCI shall submit to the Committee an annual "state of the Agency" report reviewing intelligence activities; an unclassified version may be made public.

b. The Committee on 15 March shall submit to the Budget Committee its views and estimates in accordance with provisions of the Congressional Budget Act of 1974.

c. All Committee employees or contractors are required to agree and swear to in writing to be bound by the rules of the Senate and of the Committee before receiving access to any classified information. Further, security clearances for all such persons are to be worked out with the DCI.

d. The Committee may disclose publicly any information after determining such disclosure would be in the public interest, provided that upon request by the Executive not to disclose (backed by a certification that disclosure is of sufficient "gravity"), the Committee shall not disclose the information without leave of the Senate (by vote in closed session).

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NONDISCLOSURE AGREEMENT BETWEEN SSCI EMPLOYEES AND THE SSCI

I, \_\_\_\_\_, in consideration for being employed by or engaged by contract or otherwise to perform services for or at the request of, the Senate Select Committee on Intelligence (SSCI) do hereby agree to accept as conditions precedent for my employment or engagement and for my continuing employment or engagement with the SSCI the obligations set forth below:

1. I have read Senate Resolution 400 of the 94th Congress, 2d Session, which established the SSCI. I hereby agree to be bound by the rules of the Senate, including those within the jurisdiction of the Select Committee on Standards and Conduct.

2. I have also read the Rules of the SSCI and hereby agree to be bound by them. I will never divulge, publish, or reveal by writing, word, conduct, or otherwise, either during my tenure with the SSCI or anytime thereafter, any testimony given before the SSCI in executive session (including the name of any witness who appeared or was called to appear before the SSCI in executive session), the contents of any material or information received or generated by the SSCI which has been identified under established SSCI security procedures or Executive Order or by the Director of Central Intelligence (DCI) as requiring protection from unauthorized disclosure and to which I have access during my tenure with the SSCI staff, or any information classified under Executive Order 11652 which may otherwise come into my possession during my tenure with the SSCI staff, to any person not a member of the SSCI or SSCI staff, for any purpose or in connection with any proceeding, judicial or otherwise, except as authorized by the SSCI in accordance with Section 8 of S. Res. 400, and the SSCI Rules, or in the event of the termination of the SSCI in such a manner as may be determined by the Senate. Nothing in this section prohibits my referencing, so long as accompanied by citation, such material or information which appears in open sources provided the use of the information does not explicitly confirm the validity of the contents of the cited material.

3. I hereby agree to familiarize myself with the SSCI security procedures and to provide at all times the required degree of protection for information and materials which come into my possession by virtue of my position with the SSCI so that they will not be disclosed except as directed by the SSCI in accordance with Section 8 of S. Res. 400 of the 94th Congress and the SSCI Rules or in the event of the termination of the SSCI in such a manner as may be determined by the Senate.

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I make this agreement without any mental reservations or purpose of evasion, and I agree that it may be used by the SSCf in carrying out its duty to protect the security of information provided to it.

\_\_\_\_\_  
Signature

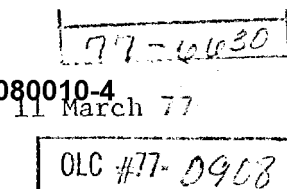
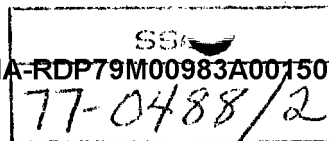
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Date

WITNESS:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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MEMORANDUM FOR: DDIC  
Legislative Counsel



FROM : Executive Assistant to the DCI

1. Admiral Turner will meet with the Vice President and Senator Inouye Friday afternoon, March 18th, to consult on practical recommendations concerning Congressional committee structure for intelligence oversight and improved Executive-Legislative procedures for dealing with intelligence, including security rules of Congressional committees with access to intelligence information.

2. Please provide him with the necessary backup material and recommendations to properly prepare him for this meeting.



Commander, U.S. Navy

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